

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brian Smiler on September 8, 2008.

Claim 1 was rewritten as follows:

--Claim 1 (currently amended): An analytical test element comprising: an application site, a microfluidic channel structure in fluid communication with said application site, and at least one analytical site in fluid communication with said microfluidic channel structure, wherein the channel structure comprises a dilution channel for receiving a first portion of a blood sample applied to the application site which comprises separation means for retaining corpuscular blood components of said first portion, and a sample channel for receiving a second portion of the blood sample applied to the application site which conveys the second portion to a mixing site located at a point where the sample channel joins the dilution channel downstream of the separation means in order to dilute the second portion of the blood sample. --

Claim 23 was rewritten as follows:

--Claim 23 (currently amended): A method for carrying out blood analyses comprising providing an analytical test element comprising an application site, a microfluidic channel structure in fluid communication with said application site, and at least one analytical site in fluid

Art Unit: 1797

communication with said microfluidic channel structure, applying a blood sample to be analyzed to said application site, moving said blood sample via said microfluidic channel structure from said application site to said at least one analytical site, obtaining liquid components from a first portion of the blood sample applied to the application site by passing the first portion through a dilution channel of the channel structure comprising separation means for retaining corpuscular blood components, and adding said liquid components to a second portion of the blood sample applied to the application site and conveyed through a sample channel of the channel structure, wherein the liquid components are added to the second portion of the blood sample at a mixing site located at a point where the sample channel joins the dilution channel downstream of the separation means.

Claim 24 was rewritten as follows:

--Claim 24 (currently amended): The method of claim 23 further comprising applying a whole blood sample to the application site, feeding said whole blood sample in parallel subflows into said dilution channel and said sample channel of the channel structure, depleting at least a portion of said whole blood sample of its cell components in the dilution channel, and joining the dilution channel subflow and the sample channel subflow at said mixing site positioned downstream of said dilution channel subflow and said sample channel subflow.

On page 5 of the specification before paragraph 0021, the following title was inserted: --
Brief Description of the Drawing--.

2. Reasons for allowance can be found in the Office action mailed on December 11, 2007.

Art Unit: 1797

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maureen M. Wallenhorst whose telephone number is 571-272-1266. The examiner can normally be reached on Monday-Thursday from 6:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden, can be reached on 571-272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Maureen M. Wallenhorst
Primary Examiner
Art Unit 1797

mmw

September 8, 2009

/Maureen M. Wallenhorst/

Primary Examiner, Art Unit 1797

Application/Control Number: 10/774,247

Page 5

Art Unit: 1797